

United States District Court
for
the District of Nevada

**REQUEST WITHDRAWAL OF PETITION FOR WARRANT FOR OFFENDER
UNDER SUPERVISION AND VACATE SCHEDULED REVOCATION HEARING**

October 24, 2019

Name of Offender: **Kyle Sanz-Carver**

Case Number: **2:16CR00244**

Name of Sentencing Judicial Officer: **Honorable Andrew P. Gordon**

Date of Original Sentence: **March 23, 2017**

Original Offense: **Possession of Stolen Mail, Possession of Counterfeit U. S. Postal Service
Key and Possession of U.S. Postal Service Lock**

Original Sentence: **11 Months prison, followed by 36 Months TSR.**

Date of Prior Revocation: **December 6, 2018**

Revocation Sentence: **Time Served, followed by 24 Months of TSR**

Date Supervision Commenced: **March 11, 2019**

Name of Assigned Judicial Officer: **Honorable Andrew P. Gordon**

PETITIONING THE COURT

☒ : To withdraw the petition for warrant for offender under supervision, filed
August 20, 2019 (Document #89).

☒ : To vacate the revocation hearing scheduled for November 13, 2019 in the District of
Nevada.

U.S. PROBATION OFFICER ACTION SUMMARY

By way of case history, Sanz-Carver was sentenced by Your Honor on March 23, 2017 for
having committed the offense of Possession of Stolen Mail, Possession of Counterfeit U.S.

RE: Kyle Sanz-Carver

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Rev. June 2014

Postal Service Key and Possession of U.S. Postal Service Lock. Sanz-Carver's first term of supervised release was revoked on December 6, 2018 because of methamphetamine use. Sanz-Carver was sentenced to time served with 24 months of supervised release. Sanz-Carver commenced his second term of supervised release on March 11, 2019 (upon release from local custody on state charges) and was placed in residential treatment. Sanz-Carver successfully completed residential treatment on June 27, 2019 and transferred to the Western District of Oklahoma to reside with his mother.

On August 20, 2019, our office filed petition for warrant upon receiving notification from Sanz-Carver's probation officer in Oklahoma that Sanz-Carver was in violation by using methamphetamine. Your Honor authorized issuance of warrant on the same date.

On September 10, 2019, Sanz-Carver appeared before Magistrate Judge Koppe for his initial appearance and was ordered detained. Preliminary hearing was scheduled for September 17, 2019. At his preliminary hearing it was agreed upon by all parties to release Sanz-Carver and allow him to return to Oklahoma. Sanz-Carver's revocation hearing is presently scheduled for November 13, 2019 at 9:30 AM before Your Honor.

Unfortunately, Sanz-Carver continues to use methamphetamine. In conversing with his probation officer in Oklahoma, taking into consideration the economic and administrative advantages, it is believed a transfer of jurisdiction to their Court at this juncture would be prudent to efficiently address Sanz-Carver's violations.


Pursuant to the Guide to Judiciary Policy, when a probation office accepts transfer of supervision, staff in the transferring district should begin the process of transferring jurisdiction to such a district. It is important to note that the Judicial Conference of the United States recommends the simultaneous transfer of jurisdiction in all instances when a person under supervision is being supervised in another district. The Judicial Conference encourages courts to consent to such transfers, particularly when a violation of the conditions of supervised release has occurred in the district of supervision.

Taking judiciary policy into consideration, and since the current violation conduct occurred in the Western District of Oklahoma, we are respectfully requesting that Your Honor withdraw the petition for warrant and vacate the November 13, 2019 revocation hearing, so that the supervising district can address Sanz-Carver's violation conduct with their Court.

Lastly, following this request for modification and in a separate memorandum, we will be providing Your Honor with a request for transfer of jurisdiction to the Western District of Oklahoma.

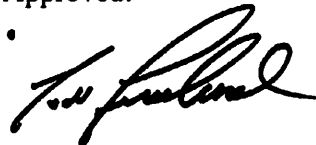
RE: Kyle Sanz-Carver

Respectfully submitted,



Jessalynn McCormick
U.S. Probation Officer

Approved:

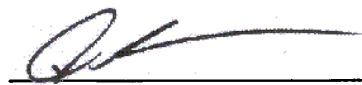
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Todd J. Fredlund
Supervisory, U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action.
- ☐ The extension of supervision as noted above.
- ☐ The modification of conditions as noted above
- x Other (please include Judicial Officer instructions below):

The request is granted, the petition is withdrawn, and dates are vacated.



Signature of Judicial Officer

10/24/2019

Date